

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN
GREEN BAY DIVISION**

JILL HANSON,)	
)	
Plaintiff,)	
)	
v.)	No. 1:21-cv-1249
)	
GREEN SQUARE COMPANY LLC,)	
)	
)	
Defendant.)	

PLAINTIFF’S COMPLAINT

Plaintiff, JILL HANSON (“Plaintiff”), through her attorney, AGRUSS LAW FIRM, LLC, alleges the following against Defendant, GREEN SQUARE COMPANY LLC (“Defendant”):

INTRODUCTION

1. Plaintiff’s Complaint is based on the Fair Debt Collection Practices Act, 15 U.S.C. § 1692 et seq. (“FDCPA”).

JURISDICTION AND VENUE

2. This Court has jurisdiction under 28 U.S.C. §§ 1331, 1337, and 15 U.S.C. § 1692k (FDCPA).
3. Venue and personal jurisdiction in this District are proper because Defendant does or transacts business within this District, and a material portion of the events at issue occurred in this District.

PARTIES

4. Plaintiff is a natural person residing in the City of Seymour, Outagamie County, State of Wisconsin.
5. Plaintiff is a consumer as that term is defined by the FDCPA.
6. Plaintiff allegedly owes a debt as that term is defined by FDCPA.
7. Defendant is a debt collector as that term is defined by FDCPA.
8. Within the last year, Defendant attempted to collect a consumer debt from Plaintiff.
9. Defendant is a collection agency with a principal place of business in the City of Buffalo, Erie County, State of New York.
10. Defendant is engaged in the collection of debt within the State of Wisconsin.
11. Defendant's business includes, but is not limited to, collecting on unpaid, outstanding account balances.
12. When an unpaid, outstanding account is placed with Defendant it is assigned an account number.
13. The principal purpose of Defendant's business is the collection of debts allegedly owed to third parties.
14. Defendant regularly collect, or attempt to collect, debts allegedly owed to third parties.
15. During the course of its attempts to collect debts allegedly owed to third parties, Defendant sends to alleged debtors bills, statements, and/or other correspondence, via the mail and/or electronic mail, and initiates contact with alleged debtors via various means of telecommunication, such as by telephone and facsimile.
16. Defendant acted through its agents, employees, officers, members, directors, heirs, successors, assigns, principals, trustees, sureties, subrogees, representatives, and insurers.

17. Defendant acted through its agents, employees, officers, members, directors, heirs, successors, assigns, principals, trustees, sureties, subrogees, representatives, and insurers.

FACTUAL ALLEGATIONS

18. Defendant is attempting to collect an alleged consumer debt from Plaintiff originating with a Check N' Go account.

19. The alleged debt at issue arises from transactions for personal, family, and household purposes.

20. On or about June 3, 2021, Defendant began calling Plaintiff on Plaintiff's telephone at xxx-xxx-3445, in an attempt to collect the alleged debt.

21. Plaintiff left a voicemail message in Defendant's after business hours voicemail box to request that Defendant stop calling her in regard to the alleged debt.

22. From June 3, 2021, to June 11, 2021, Defendant's collector Mike Mathis ("Mike") left the following voicemail messages on Plaintiff's telephone:

- a. Hi, good afternoon. This is an urgent pre-legal claim and notification for Ms. Jill Hanson. Ms. Hanson, my name is Mike [Mathis 00:00:10]. I'm with Green Square and Associates legal department. Ma'am, you have a claim in my office that is currently pending. It was actually upgraded recently to pre-legal status, and currently, it's pending possible litigation. It will undoubtedly go into further action if we don't hear from you to discuss the matter and make the appropriate arrangements. My direct phone number is 716-335-9065. Once again, Jill Hanson, you have been notified. Thank you.
- b. Hello. This message is communication for Ms. Jill [Hanson 00:00:05]. Again, Ms. Hanson, my name is Mike Mathis. I'm with Green Square and Associates prelegal division, ma'am, just calling so we can get your matter resolved. It has been upgraded to prelegal status and is presently pending possible litigation. However, you still remain eligible for the second chance repayment initiative. Please give me a call. I'd like to explain the details and benefits of the program so we can get this matter resolved. My number is 716-335-9065. I'm in my office today until 3:00 PM Eastern Standard Time. Please give me a call between now and then.

- c. Hi, good morning. This message is yet again for Miss Jill Hanson, claim number 281922. Miss Hanson, again, my name is Mike Mathis. I'm with Green Square and Associates, the civil claims free legal processing department. You have a claim in my office that's currently been upgraded and it is presently pending litigation. It is regarding the dishonorable failure to pay. My client is prepared. They feel this is a judgment worthy amounts, and they feel that they could move forward with forcible recovery within the state of Wisconsin. My phone number is 716-335-9065. If we do not hear from you, it will be determined that you had full intention to fraud and we will move forward accordingly. Thank you.
- d. This message is again for Ms. Jill Hanson. My name again is Mike [Mathis 00:00:04] With Green Square and Associates. Ma'am, sending you an email is not going to resolve this matter. I see that you deliberately contacted me at 11:00 PM Eastern Standard Time last evening. You knew no one would be here. You knew our office was closed. So, at this point, we're going to just regard this as you not wanting to willingly resolve this matter on a voluntary basis. I will instruct my client that they should move forward with forcible recovery. The penalties may include, but are not limited to, wage garnishment within the state of Wisconsin. Again, my phone number is 716-335-9065. You need to make time to contact me during normal business hours, 9:00 AM to 5:00 PM Eastern Time. Thank you. That is all.
- e. Good afternoon. This message is yet again for Jill Hanson. My name is Mike Mathis with Green Square Associates, free legal processing department. Ms. Hanson, I am making every appreciable effort to help you ma'am, but sending an email is not going to get this matter resolved. I understand that you work. I work as well. This is my job. My phone number is 716-335-9065. This matter does warrant and necessitates your immediate attention and your immediate response.
- f. Yeah. This is a final notification for Jill Hanson, claim number 281922. My name is Mike Mathis with Green Square & Associates. We're representing Check 'n Go financial lending services. You obviously have no intentions to resolve this matter voluntarily. I am going to instruct my client that they should move forward accordingly. I'm not even going to bother to leave my number because it's pointless at this time. I just wanted to inform you that there is no honor in being dishonorable.

23. With regard to the above-referenced voicemail messages:

- a. The phone number 716-335-9065 belongs to Defendant;
- b. Defendant's collector fails to state that he is calling from Green Square Company,

LLC;

c. Defendant's collector fails to state that the communication is from a debt collector;
and

d. Defendant's collector threatened Plaintiff with forcible recovery.

24. On or about June 11, 2021, Defendant sent Plaintiff a collection letter via email.

25. To date, Defendant has not taken legal action against Plaintiff.

26. To date, Plaintiff has not been served with any legal documents pertaining to pending litigation.

27. Defendant's collector engaged in the above-referenced tactics to instill fear in Plaintiff.

28. Plaintiff detrimentally relied on Defendant's empty threats and coercive tactics when she placed several calls and left voicemails for Defendant in order to ascertain the severity of the situation.

29. The natural consequences of Defendant's actions was to unjustly condemn and vilify Plaintiff for her non-payment of the debt.

30. The natural consequences of Defendant's actions was to produce an unpleasant and/or hostile situation between Defendant and Plaintiff.

31. The natural consequences of Defendant's actions was to cause Plaintiff mental distress.

DEFENDANT VIOLATED THE FAIR DEBT COLLECTION PRACTICES ACT

32. Defendant violated the FDCPA based on the following:

a. Defendant violated § 1692d(6) of the FDCPA by placing telephone calls without disclosure of the caller's identity, when Defendant's collector left several voicemail messages for Plaintiff on her telephone without disclosing the communication was from Green Square Company, LLC;

- b. Defendant further violated § 1692e of the FDCPA by its use of any false, deceptive, or misleading representation or means in connection with the collection of any debt, when Defendant engaged in engaged in, at least, the following discrete violations of § 1692e;
- c. Defendant violated § 1692e(4) of the FDCPA by representing that nonpayment of any debt will result in the garnishment of wages, when Defendant's collector threatened to garnish Plaintiff's wages and Defendant could not lawfully take such action or did not intend to take such action;
- d. Defendant violated § 1692e(5) of the FDCPA by threatening to take action that is not intended to be taken, when Defendant's collector threatened to take legal action against Plaintiff without any intention of doing so;
- e. Defendant violated § 1692e(10) of the FDCPA by using any false representation or deceptive means to collect or attempt to collect any debt, when Defendant's collector falsely represented that he was calling from a legal department and when Defendant's collector deceptively insinuated that there was pending legal action against Plaintiff;
- f. Defendant violated § 1692e(11) of the FDCPA by failing to disclose that the communication is from a debt collector, with none of the exceptions of this subsection being applicable, when Defendant's collector left several voicemail messages for Plaintiff and failed to disclose that the communication is from a debt collector;
- g. Defendant violated § 1692e(14) of the FDCPA by using business, company or organization name other than the true name of the debt collector's business,

company or organization, when Defendant's collectors left several voicemail messages on Plaintiff's telephone and represented the communication was from "Green Square and Associates"; and

- h. Defendant violated § 1692f of the FDCPA by its use of unfair or unconscionable means to collect or attempt to collect any debt, when Defendant engaged in all of the foregoing misconduct.

WHEREFORE, Plaintiff, JILL HANSON, respectfully requests judgment be entered against Defendant, GREEN SQUARE COMPANY LLC

- 33. Statutory damages of \$1,000.00 pursuant to the Fair Debt Collection Practices Act, 15 U.S.C. § 1692k;
- 34. Costs and reasonable attorneys' fees pursuant to the Fair Debt Collection Practices Act, 15 U.S.C. § 1692k; and
- 35. Any other relief that this Honorable Court deems appropriate.

RESPECTFULLY SUBMITTED,

October 26, 2021

By: /s/ Michael S. Agruss

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